19

Department of

OFFICE

STATION

No. 3335

Dated

Pages in the file

(SUBJECT.)

Ref.A3.No.2146-37. South Kanara Collector's Office,

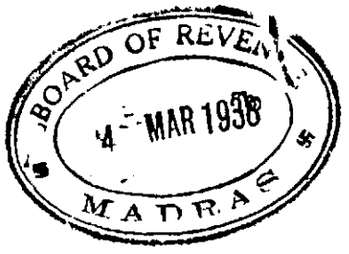
Mangalore, dated 28 - 2 - 1938.

A 1058

From

M.R.Ry. Rao Bahadur M.V.Vellodi, Avl., B.A.,

Collector of South Kanara.



The Secretary to the Board,

Land Revenue and Settlement,

M a d r a s.

Sir,

Escheats - Real property - sale after 10 years - Form o sale notice - conditions to be imposed - Further instructions requested.

In B.P. Mis. No. 3293 dated 20-10-1937, the Board has directed that in notifying the escheat properties in Pilathabett and Irvathur villages of Mangalore Taluk for sale, the form of sale notice prescribed in Appendix V to B.S.O. 15 should be adopted following the instructions contained in B.P. No. Misc. 3222 dated 15-10-37.

2. A doubt has now arisen as to whether in this and other cases of sales of escheat properties, sale certificates are to be issued to the purchasers, or assignment orders passed. In the case of lands sold under the conditions laid down in the form of sale notice referred to above a separate form of assignment order has been prescribed in correction slip No.70 dated 8-4-35 to Appendix V to B.S.O. 15. It follows therefore that when lands are sold under those conditions, an assignment order will have to be passed, irrespective of the fact that the lands are escheat properties or not, and the question of the issu of a sale certificate cannot arise. In all cases of sales of escheat lands, held heretofore in this District, one of the conditions of sale was that on confirmation, the lands would registered in the name of the purchaser and that certificate of sale would be issued to him on payment of stamp duty there The passing of an assignment order in lieu of the issue of a sale certificate would undoubtedly lead to a loss to Governme

by way of stamp duty, which otherwise, the purchaser has to produce.

3. Again in the case of sale of bought-in-lands condition 6 of the form of sale notice prescribed in Appendix IV to B.S.O.45 (para 5) contains a similar condition for the issue of a sale certificate on payment by the purchaser of the stamp duty. I do not see much difference between bought-in-la and escheat lands. In view of this and also in consideration of the fact that Government stand to lose the stamp duty, whic may go up to about Rs. 150/- in a case like the present one. I am inclined to think that sale certificate in the form of the title deed prescribed in Appendix V to B.S.O.45 would be more appropriate than an assignment order.

4. Another point that arises is about the delivery of possession to the purchaser of the properties, after they are sold. Unlike other lands at the disposal of Government, all escheated lands are invariably in the legal possession of tenants to whom they are leased out by Government. The sale notices issued heretofore in this District in such cases used to state that the purchaser would not be entitled to disturb the lessees before the expiry of the period of the lease, though he would be entitled to collect the rent for the year. A condition similar to the one now in vogue will, I think, be necessary in order to avoid future trouble.

5. I submit the above points for the consideration of the Board, and if the Board should be inclined to agree with me, I would suggest that the form of sale notice and title deed prescribed in Appendices IV and V to B.S.O. 45 with the additional condition about lessees may be ordered to be adopted in cases of sale of escheat lands in lieu of the sale notice and the assignment order prescribed in Appendix V to B.S 15 with such modifications as are considered necessary.

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	21/4	
When copied ..		
When examined..	22/4/38	
When signed ..		
When despatched.	23 APR 1938	

SUBJECT:— Escheats - Real property - Sale - Form of Sale notice - conditions to be imposed - Remarks called for.

READ AGAIN ____, dated ____ 19____.

" " ____ " ____ 19____.

READ ALSO:— No. 1058/38 From the Collr of S. Kanara No. Rev Ag. 2146-37, dated 19 A

" ____ " ____ " ____ 24.2.38 19____.

" ____ " ____ " ____ " ____ 19____.

~~Order~~ Ms. No. Rev A 1058-38-1 dated 20-4-38 19____.
Resolution Rout.

The Collr of ~~x x x~~
is requested to offer his remarks on the suggestion made by the Collr of South Kanara in his letter cited above (~~copy enclosed~~) ~~in respect~~ of the Sale of escheat lands ~~under B&O 1977~~.

dn 25/4/38

KF 20/4/38

AM 20-4-38

East Godavari
Kurnool ✓
Vizagapatam ✓
Tanjore ✓
and Malabar ✓

Ref.A3.No.2146-37.

South Kanara Collector's office,
Mangalore, dated the 4th May '38.

From

M.R.Ry. Rao Bahadur M.V.Vellodi, Avl., B.A.,
Collector of South Kanara.

To

The Secretary to the Board of Revenue,
M a d r a s.

Sir,

Escheats - Real property - Sale after 12 years - Form of sale notice - Conditions to be imposed - Further instructions requested.

11-1-207

I invite the attention of the Board to my Ref.A3.No. 2146/37 dated 28.2.1938 on the above subject and submit that the sale in public auction of the escheated properties in Pilathabettu and Irvathur villages ordered in B.P. Mis. No.3293, dated 30.10.1937, is held up on account of the non-receipt of the instructions asked for. I, therefore, request the favour of early orders on the reference.

(U)

for Collector.

U.R./4.5.

C.F. 32.

In reply, please quote number, date and short title.*

Revenue DEPARTMENT.

A 2874

*Received*_____ *Registered*_____

From (Name) E.M. Gawne Esq., I.C.S.,

(Designation) Collector of Chingleput District,

Post Box_____, (Station) Saidapet.

*Telegraphic Address*_____

BOARD OF REVENUE
19 MAY 1938
MADRAS

To

The Secretary to the Board of Revenue,

Chepauk, Madras

R.L. *No.* 3306-38, *dated* 16-5-38 19

Sir,

Escheat - Real property - sale - form of sale notice conditions to be imposed - remarks called for - report submitted.

Ref:- Board's Ref.A.No.1058-38-1D dated 20-4-38

ENCLOSURES_____

p307

SPARE COPIES_____

I agree with the Collector of South Kanara. When Government part with an escheated land, they take their price if they can get it, as in South Kanara at any rate it is not usual to go to the trouble of escheat unless a land has an appreciable value. I am therefore of opinion that there should be a certificate of sale.

2. As regards the difficulty regarding the delivery of possession to the purchaser of the properties in the possession of tenants to whom they were leased out by Government, I submit that the lease ought to have expired before the land is disposed of permanently. Government ought to give possession and can in fact do so easily as land which has escheated is given on lease for the period of 12 years only on 'chalgeni' or annual lease.

Gawne

Collector.

nr.17.5

2
175

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ...	24/5	
When copied ..	24/5	
When examined..	25-5	
When signed ..		
When despatched.		

SUBJECT :— Escheat (S Kamma) - Real property - Salvage 12 yrs - Form of sale notice - conditions to be imposed -

READ AGAIN _____, dated _____ 19____.

" " _____ " _____ 19____.

READ *ALSO* :—

No. 2484/38 From the C Mary S. Kamma Reg A3-2146-37 No. _____, dated 4-5-38 19____. Q

" _____ " _____ " _____ " _____ 19____.

" _____ " _____ " _____ " _____ 19____.

Ref Order / Resolution Ms. / Rout. No. A 1058-38-2, dated 25-5 1938.

The Collr is informed that the questions raised by him in his letter dt 28.2.1938 have been referred to certain selected Collrs for their remarks are still awaited and that, if he cannot wait till the Board issues final instructions in the matter and if an immediate sale is likely to secure a substantial advantage to the Govt, he may notify the sale provisionally subject to the conditions suggested by him (which may be modified or confirmed later as may be necessary).

25/5/38

C.F. 32.

Revenue DEPARTMENT.

In reply, please quote number, date and short title.*

*Received*_____ *Registered* A 3586

From (Name) Khan Bahadur Munammad Zindah Sahib Bahadur,

(Designation) Collector of Tanjore, Tanjore.

Post Box_____, (STATION)__ _____;

*Telegraphic Address*_____

BOARD OF REVENUE 15 JUN 1938 MADRAS

To

The Secretary to the Board of Revenue, Land Revenue & Settlement, Madras.

L.Dis. *No.* 5086/38, *dated* 13-6-- 1938.

Sir,

Escheat - real property sale - form of sale notice and assignment order - Report submitted.

ENCLOSURES_____

* * *

SPARE COPIES_____

p354 Reference: Board's reference A. No. 1058/38-1, dated 20-4-38.

I agree with the suggestions of the Collector of South Kanara contained in paragraph 5 of his letter.

p207

for Collector.

KRA. p. 14.6.

SS 14636

C.F. 22.

In reply, please quote number, date and short title.*

Revenue DEPARTMENT.

A4023

Received _____ *Registered* _____

From (Name) M.S. Arunachalam Esq., M.A., I.C.S.,

(Designation) Collector of Kurnool,

Post Box _____, (Station) Kurnool. ;

Telegraphic Address _____

To

The Secretary to the Board of Revenue,
Land Revenue and Settlement
Chepauk, Triplicane, Madras.

L.*No.* 1049-38, *dated* 29th June 19 38.

Sir,

*Escheats - Real property - Sale - Form of sale not: Report - Submitted.

.....

Ref:- Board's reference A.No. 1058-38-1 dated 20-4-3

b3 c/7

Enclosures _____

Spare Copies _____

In regard to treatment and disposal, escheat properties are more akin to bought-in-lands than to lands at the disposal of the Government. Hence, it will be more appropriate that the sale notice for escheat lands should be in the form prescribed in appendix IV to B.S.O. 45 (5) than in the form in Appendix V to B.S.O.15. Correspondingly the issue of a sale certificate or title deed in the form prescribed in Appendix V to B.S.O. 45 (5) will be more appropriate than passing an order of assignment in form prescribed in Appendix V to B.S.O.15. As in the case of bought-in-lands, the issue of sale certificates will be on payment of stamp duty, which will be a source of income to the Government. I therefore agree with the Collector of South Kanara and recommend the adoption with suitable modifications, of the forms in Appendixes IV and V to B.S.O. 45(5

b402 V of II
C574/8 4-35
M176-178 V of I
b403 of V of II
176-178 V of I
b404 3 of V of I

2/- The additional condition suggested by the Collector of South Kanara in paragraph 4 of his letter, is unnecessary. Sales may be held after the expiry of any lease. An outright sale before the expiry of a subsisting lease will certainly discourage bids as no immediate possession is given to the purchaser. On the other han

b2 c7

if the sale is deferred till the expiry of the lease, it will attract better bids as the purchaser will get immediate possession and be saved the uncertainty and trouble of going to court against the lessee to obtain possession.

P.N.N.30/6.P.

C.F. 32.

_____DEPARTMENT. A 4134

In reply, please quote number, date and short title.*

*Received*_____ *Registered*_____

From (Name) T.Bhaskara Rao,Esq., I.C.S.,

Designation) Collector,Kistna district,

Post Box_____, (STATION) Chilakalapudi_____,

*Telegraphic Address*_____

BOARD OF REVENUE 8 - JUL 1938 MADRAS

To

The Secretary to the Board of Revenue,
Madras.

L Dis No. 2368-38, *dated* 7th July 1938..

Sir,

Subject:- Escheats - real property - sale after 12 years forms of sale notice.

ENCLOSURES Nil

SPARE COPIES

P 307 Reference:- Board's Reference A. 1058-38-1, dated 20-4-38.

The principle underlying the issue of a sale certificate is to give a legal and indisputable title to the purchaser and the procedure is adopted when the Government purport to convey the property in the capacity of a private party owning property. On the other hand the issue of an assignment order is considered appropriate where the conveyance is in the shape of a crown grant and the property is conveyed by the Government in its capacity as representative of the crown. Government is no better than a ryotwari owner in the case of bought-in-lands while in the case of property escheated to Government, the latter owns it as crown-repre-sentative. I submit bought-in-lands cannot be called crown grants, while escheated property is a crown-grant. In the case of crown grants an assignment order is the proper deed, while in the case of other sales a sale certificate is the valid document. The loss of stamp duty to Government is not, I consider, a sound criterion in cases of the kind in question.

2. As regards the second point raised by the Collector of South Canara I suggest that it is desirable that the sale of escheated property should take place only after the terminati

of its lease and not before. There will be then no necessity for the insertion of the condition referred to in para 4 of the letter of the Collector of South Canara.

D.Dis. 3354/38. East Godavari Collector's Office,
Cocanada, Dated 30--6--38.

From

M. V. Subramanian Esq. I. C. S.,

Collector of East Godavari,

Cocanada.

The Secretary, Board of Revenue,

M a d r a s.

Sir,

Subject:-

Escheats - Real Property - sale - Form of sale notice - conditions to be imposed - remarks - offered.

Reference:- Board's Reference A. 1058/38-1 dated 20--4--38.

I agree with the Collector of South Kanara that it is more appropriate to sell escheated lands in the same way as bought-in lands and to issue sale certificates instead of orders of assignment to the purchaser.

2. As regards the extra condition mentioned by him in para 4 of his letter, I think that it is unnecessary as Government can arrange to sell the lands after the lease terminates and the land is reduced to Government's possession.

1.7.38

HB 1.7.38. For Collector.

1.7.

D.Dis.3619/38

Malabar Collector's Office,

Calicut, 22nd July 1938.

From

A.C.Wood Esq., I.C.S.,

Collector of Malabar, Calicut.

To

The Secretary to the Board of Revenue,

Land Revenue and Settlement, Madras.

Sir,

ESCHEATS - Real property - sale - form of sale notice - conditions to be imposed - suggestions of the Collector of South Kanara - report submitted -

Ref Board's Ref.A.1058/38.1 dated 20.4.1938.

In this district, title deeds for escheated lands sold are issued only on plain paper as the case is covered by exemption 20 at page 234 of the Stamp Manual. The Government have also held that title deeds for lands sold by Government need not be engrossed on stamp paper see Government's endorsement No.2220.F/30-1 (Rev.) dated 13.8.1930, communicated with B.P.Mt.No.5133 dated 6.8.1930.

2. I think that the form of deed which is suitfor bought-in-lands is suitable for escheated lands: in both cases modifications are necessary in order to follow the special laws ~~lands~~ in Malabar.

3. As regards the condition about lessees, suged in para 4 of the South Kanara Collector's letter, ees of escheated lands can be grouped under two ses:-

(1) old tenants who continue to occupy the land after the property has been declared escheat and (2

to the provisions of the Crown Grants Act, after the lands have been reduced to the possession of the Government. In the former class of cases, the condition suggested by the Collector of South Kanara can be imposed. As regards the latter, the lands have to be reduced to the possession of the Government before they are sold (vide B.P.Mis.No. 406 dated 6.4.'21)

21

C.F. 16.

DRAFT FOR APPROVAL.

	Date.	Initials.
When received for fair copying ..	23/11/38	CMB
When copied ..	26/11/38	CMB
When examined..	3.12	HLJ
When signed ..		
When despatched.		

SUBJECT:— Escheats (Kenya) Real property - Sale of - Powers - Proving title - Conditions imposed - Instructions issued

READ AGAIN Bds repA 1058·38-2, dated 25·3·38 19 . &

" " " 19 .

READ ALSO:—

A No. 1058/38 From the Mng S. Kenya No. A 3 - 2146 dated 30 19 28 38 - B

" " Rehabs Fund Skin Cons " " 19 . B

" " " " " 19 .

Order / Resolution Ms. No. 3335 dated 19 .

22/11/38

The Board Considers that escheats, bequests in lands and lands at the disposal of the Crown not claimed by escheat or bequest should all be treated in the same way when they pass by assignment or sale. The Officer in charge requested to follow the instructions contained in BsC 222 Ms 3-1570:37, care being taken to see that the holder understood the change from the old practice referred to in para 2 of the Colonial Office letter Ref A 3-2146/37 of 2·2·38. and that the Planning Au

is added that he is not entitled to any compensation for no actual loss to the Govt.

2. The Collr is informed that the ~~question~~ question of the Condition to be inserted in the proposed lease ~~of~~ referred to in para 1 of this letter, ~~in para 1 of this letter referred to above~~ is unnecessary as it is not the intention that no subsisting occupancy right should be held for a period covered by a lease from the Govt and that if any one be permitted to retain occupancy right while held is liable to be fined & ~~subject~~ subject to the Condition

S
AS (LR) ~~I & C (L)~~
~~Hon. B & C~~

SUBJECT.

ESCHEATS - Real property - Sale Form of sale notice - Conditions to be imposed - Further instructions - Requested.

A.1058/38 - from the Collr. S. Kanara.

A.S.(L.R.)

Please see the Collr.'s letter at pages 1 & 2 c.f.

2. In B.P. Mis. No.3222, dated 15-10-37, the Board directed that when real property escheated to the Government is to be sold, a notice should invariably be published and the notice hould be in the form prescribed for he sale of valuable land in appendix V o B.S.O.No.15. In B.P. Mis. 3293, dated 20-10-37, the Collr. of S. Kanara was asked to adopt the same procedure in respect of certain escheat lands in his district sold in public auction. The form in Appx. V to B.S.O. No.15 was prescribed as the majority of the Collrs consulted reported that that was the form usually adopted in respect of sales of escheat lands.

Mp 176-177
BSO No I
C.S.L. 79/35

3. The Collr. now points out hat in all cases of sales of escheat and held hitherto in his district, one f the conditions of sale was that on confirmation

confirmation the lands should be registered in the name of the purchaser and the certificate of sale should be issued to him on payment of stamp duty. He also points to the analogy of the sales of bought-in-lands in respect of which there is a specific provision in the sale notice (Condition 6 in the form prescribed in appendix IV to B.S.O.No.45(5)) for the issue of the certificate on payment of stamp duty. Escheat lands stand more or less in the same position as bought-in-lands. As pointed out by the Collr., if an assignment order is passed, instead of issuing a sale certificate, the Govt. would be losing the considerable amount of stamp duty levied on sale-certificates. In the actual case before him, the Govt. will lose stamp duty which might go up to Rs.150/-. The Collr. therefore suggests that the form of sale notice and title deed prescribed in appendices 4 and 5 to B.S.O. 45 would be more appropriate. The Collr.'s suggestion seems reasonable.

[p402 BSO Vol II]

pp 402-403 BSO Vol I

4. The other suggestion of the Collr. is that a condition to the effect that the purchaser would not be entitled to disturb the lessees before the expiry of the period, though he is entitled to collect the rent for the year may be added to the sale notice. There seems to be no objection to this course.

para 4 p2of

Before passing orders, the

remarks

remarks of some of the Collrs. previously consulted viz., Kistna E. Godavari, Kurnool, Chingleput, Tanjore and Malabar may be invited.

12/4
5438
11

12.4.38

12/4

TO R&C(LR).

Draft Submd

20.4.38

20.4.38

KV
20.4.38

AS(LR)

p3 C4

Board's ref A 1058.38-1) 2024 3.

A 2484/38

p5 C4

TO AS(LR).

Please see the notes above and the Collector's letter at p5-C4. The proposal made by the Collector of S. Kanara have been referred to certain selected Collrs for remarks and their replies are awaited. The Collr of S. Kanara may be informed that the matter is under the consideration of the Board

p3 C4

9.5.38

Two points are involved. (1) Collection of stamp duty for certificate of sale & (2) insertion of a clause in the sale notice that the present

lessees will not be disturbed
before the expiry of the current
leases. The first point can
be settled only after receipt of
Collrs' replies as to there should be
uniformity of procedure. The
second is however only a
continuance of the district
practice. — vide para. 4 of
the Collrs. letter at p 2 cf.
For orders whether the Collr.
may be informed that the
instructions have been referred
to Selected Collrs. (and that
if he cannot wait till the
Board issues final instructions
and if an immediate sale
is likely to secure a substantial

Revised Note

To A.S. (L.R.)

Draft submitted.

Intd/ S.R.
23-5-38.

Bd's Ref.A. 1058/38/1 d/20-4-38.

Replies from Collectors.

AS(LR)

To A.S.

Please see the notes at pp 1-3 n.f. and the Collr's reports at pp 7 an 11-20 n.f.

2. The 1st point for consideration is whether escheated lands stand on the same footing as bought in lands an whether it is not desirable to issue certificates of sale to purchasers of escheated lands on payment of stamp duty as proposed bythe Collr. of South Kanara. The proposal was referred to the Collrs. of the districts noted on the margin. All the Collrs. except Kistna are in favour of the suggestion the Collector of South Kanara. The Collector of Kistna however does not accept the proposal. He says that escheated property is a crown grant which the Government hold as a representative of the Crown while in the case of bought-in lands which cannot be deemed to be crown grants the Govt. stand

, Chinglepu
Tanjore, Malabar & Kistna.

stand almost on the same footing as a ryotwari owner and that in the case of crown grants an assignment order is the proper deed and that the loss of stamp duty should not be the criterion. There seems to be no need to make any -- invidious distinction between bought in lands and escheated lands. Both are Govt. lands and their disposal rests with the Government. The views of the majority of the Collectors may be -- accepted and the proposal for the issue of certificates of sale to purchasers of escheated lands subject to payment of stamp duty may be accepted.

3. As regards the 2nd point Viz., whether it is necessary to add in the sale notice a condition to the effect that the purchaser would not be entitled to disturb the present lessees of -- escheated lands before the expiry of the current leases it is the opinion of all the Collectors consulted except of Tanjore that possession should be declared absolute and that if any leases subsist the sales may, if necessary, be postponed till the leases terminate. The Collr. of Chingleput (who was formerly Collr. South Kanara says that Govt. ought to possession and can in fact do so easily as land which has escheated is given on lease for the period of 12 years only.

'chalgeni' or annual leases". The Collector of Malabar however groups lessees of escheated lands under two heads.

(i) old tenants who continue to occupy the land even after the propert has been declared escheat and

(ii) persons to whom escheated lan are leased out, subject to the provi-sions of the Crown grants act after the lands have been reduced to the possession of the Govt. He says that in the former class of cases th condition suggested by the Collector of South Kanara can be imposed while in the latter, the lands have to be reduced to the possession of the Gov before they are sold so that deliver may be made to the purchaser by the Govt. (B.P. Mis. 406 dated 6-4-21).

The attention of the Collr. of South Kanara may be invited to the B.P. of 1921 and he may be asked t follow the instructions except in ca falling under (i) above and that ~~for~~ respect ~~the sales~~ of the excepted cases sa also may if necessary be postpone termination of the said tenancies -- ~~necessary~~. till the leases terminate and that no revision of R/V 2685 & the sale notice is necessar

S.

5928.

— I can not see why the Collr the leases who were a

that capacity before
the orders should be
treated differently to
subsequent leases. In
both cases of sales
under B. O. 406 Para
26-4-11 to for East
for complete formation
before selling. What is
your reason?

9/c

Memo M/2's query at Nos 10-11 ante

2 To be answered by the Member

It is necessary to take Govt to task, at this possession. In respect of claim leases are annual and there is no duty to postpone the Confirmation of Sale beyond the year. While in mineral cases relating under class (1) the leases for two more than one year and the will have to postpone the sale till the related period of the lease expires

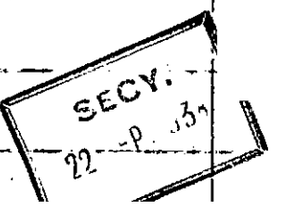
20-9-38

See the difference.

But then B.P. 406 Rule 4-6-4-21 does not the assignment of land under 50.15 (as usually free ~~any~~ ; was the exception ... Hereby this has been reversed. Hence if the B.P. is to be applied literally, nearly every assignment must be preceded by Govt ending every encroacher and saving the Govt has in this respect from the Cantonments Act (XV of 1895-Ind.) ~~Hence~~ ~~the a lot of unnecessary~~ the ~~unnecessary~~ advantage of getting over many

under the Stamp Act seem to
be not unlike it. There does not seem
to be any hurry to answer the letter of
S. Navarro, so he can wait till you consider
this note of mine.

2
22/9



Please see M.'s remarks at p 13 ante

2 M. has accepted the views of the Secretary of the Colonies for issue of Certificates of Sale to purchasers of escheated lands. Through under the provisions of the Crown Grants Act, the Govt are under no obligation to give possession to purchasers at the Sale the Board laid down that in all cases before Grant or Sale steps should be taken to recover possession of them so that delivery might be made to the purchaser when Govt that if necessary suits should be filed. In accordance with this principle, the Sales of escheated lands will have to be postponed until the subsisting leases (which would demand who volume to occupy the tenancies after their escheat or (2) persons to whom escheated lands are leased at ~~subject to~~ after they are reduced to the possession of the Govt ~~of the Crown by the Act~~ terminate, then Sale Certificates may be issued on Collection of Stamp Duty in both these Cases — as in the Case of bought in lands. For orders

20 Jt
14/4
21. X. 38

2 In my opinion, escheats, bought-in lands and lands at the disposal of Govt if not obtained by

escheat or buy-in when all the classes which are sold in succession should all be treated in the same way when they qualify for assignment by sale. At present the B.L.O. & B.Ps are to the effect that escheats & lands at the disposal of Govt should be treated in the same way whereas bought-in lands have always presented the 6 yr sale-certificate. Also there is B.P.406 (Kis) d. 6-4-21 which appears to apply to all 3 classes of lands but in practice is confined to escheats only. I believe I do not think this B.P. a good order for reasons already given. I would :- examine the authorities given under B.L.O. 45-1 and 45-5 to see why a sale certificate was considered necessary for bought-in lands & whether they hold good to-day, with a view to cancelling Govt order about making all 3 cases uniform.

2. But there is need to hold up the J. Canara sale out of which this current area. He should follow B.P. 1/6 32 22 d. 13/10/37 & later case that the Addl Collr understand the change from the district practice. This should result in the stamp duty being added to the bid so that there will be no actual loss

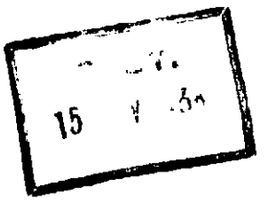
+ I do not think that a copy of it was sent to Govt.

A
Govt.
to him as a
Specimen of the S.

5 East

P. The Colls. of S. Canon - accn
to the arrangement about the same;
the extra condition for no sale/ should
be held ~~to the~~ for a period covered
a lease from East. If the ~~land~~ date from
the the occupancy rights will be sold as the
fixed + restricted, the condition will be.

14/11



To AS

Draft submitted

2 Further action on para 1 of M.
as p is under letter separately after his visit
draft

good
NB.
ICS
22/11

17/11 st
15/4
21/11/38

Lu
21/11/38

From Treasury
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